

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Thomas Marshall, et al.
Serial Number: 09/942,112
Filed: August 28, 2001
Group: 3679
Examiner: Ferguson, Michael P
For: IMPROVED JOINT FOR BULLET TRAPS
Attorney Docket: 1136.ACT2.NP

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Commissioner for Patents
P.O. Box 1450
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I hereby certify that this correspondence is being deposited with the United States Patent and Trademark Office (USPTO) addressed to:

on Dec 7, 2006

Signed:

SUPPLEMENTAL RESPONSE

Dear Sir:

Upon review of the Amendment filed July 17, 2006, Applicants discovered that the Amendment did not include a Statement of the Substance of the Interview conducted on June 1, 2006. In order to make the record complete, Applicants hereby provides said Statement as a supplemental response to the Amendment and an authorization to bill the deposit account of Applicants' counsel for any needed extension, as the statutory time period to respond to the Office Action has yet to run. As the time period for response has not run, Applicants believe that this Supplemental Response is timely and should be included as part of the previously filed amendment. If the Examiner requires refileing of the entire Amendment with the Statement of the Substance of the Interview included, it is requested that he contact Applicant's counsel.

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SUBSTANCE OF THE INTERVIEW FOR JUNE 1, 2006

In the interview conducted on June 1, 2006, the Examiner and Applicants' counsel, Randall B. Bateman, discussed the general structural differences between the invention and Lendi and specifically discussed the patentability of claims 10, 11 and 13 as to Lendi. The Examiner and Applicants' counsel discussed potential language regarding the brackets being fixedly attached or welded to the facing strips as potentially overcoming Lendi. The Examiner, however, indicated that additional search and/or consideration would be required and no agreement was reached regarding the patentability of any of the claims.

SUBSTANCE OF THE INTERVIEW AUGUST 2006

In early August 2006, following filing of the Amendment on July 17, 2006, the Examiner called Applicant's counsel and indicated that claims 1 and 7 would be allowable if amended to reword the description of the at least one bracket to clarify the intended meaning of the element. Applicants' counsel indicated that the amendments sounded acceptable. Applicants' counsel has yet to receive the Examiner's Amendment.

REMARKS

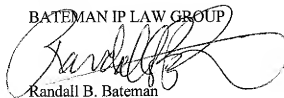
Applicants file the enclosed supplemental response to provide a Statement of the Substance of the Interview which occurred on June 1, 2006 and a telephone call from the Examiner in early August, 2006. Applicants provide the Statement of the Substance of the Interview as a supplemental response to the Office Action dated July 17, 2007 to which Applicants have not received a response. While reviewing the file, Applicant discovered that the Statement of the Substance of the Interview had been omitted. Applicants' counsel believe the Statement was omitted inadvertently because the claims discussed with the Examiner were canceled in the July 17, 2006 Amendment, as the Examiner indicated that the proposed modifications would require additional search and/or consideration and would thereby potentially bar entry of an amendment after final. Should the Examiner deem that the entire Amendment should be refiled with the Statement included, Applicants will gladly do the same.

Applicant believes that the application is thus in condition for allowance.

The Commissioner is hereby authorized during the entire pendency of this application to credit any overpayment and debit any amount owing, including fees for extensions of time, to Deposit Account No. 50-2720, including any extension fees necessary for this filing..

Should the Examiner have any concerns with the present amendment, it is requested that he contact Applicant's counsel, Randall B. Bateman, at (801) 533-0320 so that these concerns may be quickly resolved.

Sincerely,

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